

Case 2:05-cv-0187-BMS Document 9 Filed 07/19/05 Page 1 of 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARTHA JANE TOY,	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
PLUMBERS & PIPEFITTERS	:	No. 05-1814
LOCAL UNION NO. 74 PENSION	:	
PLAN, et al.,	:	
Defendants.	:	

**ORDER**

AND NOW, this 19<sup>th</sup> day of July, 2005, it is hereby ORDERED that:

1. Defendants' Motion to Dismiss (Document No. 6) is DENIED without prejudice.
2. The parties shall conduct limited discovery on the jurisdictional issue raised by Defendants' motion. Such limited discovery shall close Friday, August 26, 2005.
3. Defendants shall reply to the discovery requests outlined in the letter attached as Exhibit A to Plaintiff's response to Defendant's motion to dismiss.
4. Defendants may re-file the motion to dismiss no later than Friday, September 2, 2005.
5. Plaintiff shall respond to the re-filed motion no later than Friday, September 9, 2005.

BY THE COURT:



Berle M. Schiller, J.

EXHIBIT A

Case 2:05-cv-01813-BMS Document 17 Filed 08/23/2005 Page 1 of 2

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARTHA JANE TOY,	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
PLUMBERS & PIPEFITTERS	:	No. 05-1814
LOCAL UNION NO. 74 PENSION	:	
PLAN, et al.,	:	
Defendants.	:	

**ORDER**

AND NOW, this 23<sup>rd</sup> day of August, 2005, it is hereby ORDERED that:

1. By Friday, August 26, 2005, counsel for Defendants shall provide to counsel for Plaintiff the following:
  - a. The number and locations of employers located in Pennsylvania who have provided contributions to Defendants within the last five years.
  - b. The number and locations of benefit recipients who reside or have resided in Pennsylvania over the last five years.
  - c. The gross payout of benefits that the Defendants have made to beneficiaries in Pennsylvania over the last five years.
2. Plaintiffs may depose a 30(b)(6) witness related solely to the information contained in paragraph one. The deposition shall be completed by Friday, September 2, 2005.
3. Defendants may re-file the motion to dismiss no later than Friday, September 9, 2005.

Case 2:05-cv-01817-BMS Document 17 Filed 08/23/05 Page 2 of 2

4. Plaintiff shall respond to the re-filed motion no later than Friday, September 16, 2005.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Berle M. Schiller", written over a horizontal line.

Berle M. Schiller, J.

Case 2:05-cv-01814-BMS Document 18 Filed 08/24/05 Page 1 of 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA


MARTHA JANE TOY,	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
PLUMBERS & PIPEFITTERS	:	No. 05-1814
LOCAL UNION NO. 74 PENSION	:	
PLAN, et al,	:	
Defendants.	:	

**AMENDED ORDER**

AND NOW, this 24<sup>th</sup> day of August, 2005, it is hereby **ORDERED** that:

1. Paragraph two of this Court's Order of August 23, 2005 is amended to read:  
"Plaintiffs may depose a 30(b)(6) witness related solely to the information contained in paragraph one. The deposition shall take place on **Monday, August 29, 2005 at 9 a.m. at Mr. Crowther's offices.**"
2. Counsel for Defendants shall expeditiously produce the information and documents outlined in paragraph one of this Court's Order of August 23, 2005.

BY THE COURT:



Berle M. Schiller, J.

